

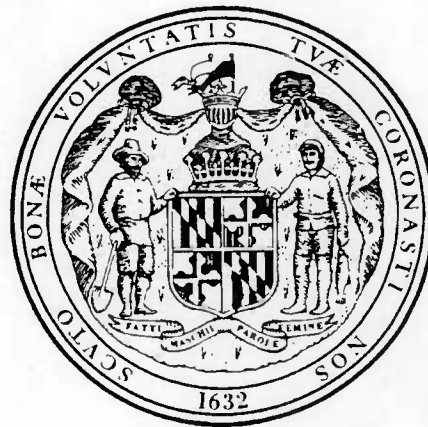
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*Parris N. Glendening*  
*Governor*

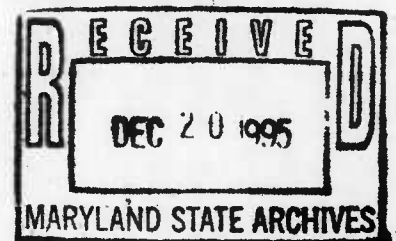
*Bishop L. Robinson*  
*Secretary*

*Joseph Henneberry*  
*Director*

**DEPARTMENT  
OF  
PUBLIC SAFETY  
AND  
CORRECTIONAL SERVICES**



**PATUXENT INSTITUTION  
ANNUAL REPORT  
FISCAL YEAR 1995**







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GOVERNOR

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DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

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SECRETARY

October 31, 1995

The Honorable Parris N. Glendening  
Governor of the State of Maryland  
Executive Department  
State House  
Annapolis, Maryland 21401

Dear Governor Glendening:

I am pleased to forward the Patuxent Institution Annual Report which documents the agency's activities for Fiscal Year 1995. The Report is intended to satisfy the requirements set forth in Article 27, Section 678, and Article 31B, Section 4(d), of the Annotated Code of Maryland.

As in preceding years, the number of offenders incarcerated in the State's correctional system has continued to grow. One of the most disturbing aspects of this growth has been a disproportionate increase in the number of special needs inmates. These diverse populations have strained existing correctional treatment resources and also have created significant behavioral management problems for prison administrators.

The Department of Public Safety and Correctional Services has endeavored to meet this challenge through the innovative use of existing correctional resources. In keeping with the most recent revision of Article 31B in March 1994 and the creation of the Patuxent Institution Youth Program effective October 1, 1994, specialized programs to meet the needs of these populations have been developed and implemented at the Institution. In addition, specialized programs addressing the needs of mentally ill and substance abuse offenders continue to be refined and expanded. By centralizing these services in the correctional facility best equipped to manage special needs populations, the Department is committed to improving both the cost effectiveness of existing treatment services and the overall level of public safety.

Sincerely,

Bishop L. Robinson  
Secretary

STATE OF MARYLAND

DEPARTMENT OF PUBLIC SAFETY  
AND CORRECTIONAL SERVICES

PARRIS N. GLENDENING  
GOVERNOR

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October 29, 1995

Bishop L. Robinson, Secretary  
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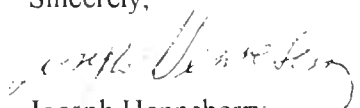
Dear Secretary Robinson:

I am pleased to present the Annual Report for Patuxent Institution, accounting for agency activities during Fiscal Year 1995. The issuance of this report is intended to satisfy the requirements set forth in Article 27, Section 678 and Article 31B, Section 4(d) of the Annotated Code of Maryland.

Over the past fiscal year, the Institution has implemented programmatic changes to reflect its new role of remediating youthful offenders under revised Article 31B (March 1994) and of providing remediation services to juvenile and youthful offenders adjudicated as adults for the Patuxent Youth program (effective October 1, 1994). In addition, current programs to address the needs of the mentally-ill and substance abuse offenders are being refined and expanded. Patuxent Institution's Psychological Testing Center was established to streamline the evaluation and assessment process at the Institution. In FY 1996, the Center will serve as the State correctional testing center by providing services to Division of Correction facilities. To specifically address the needs of substance abuse offenders, Patuxent Institution sought and was successfully awarded two grants. The National Institute on Drug Abuse (NIDA) awarded Patuxent Institution and Friends Medical Science Research Center a grant of \$2.3 million over five years to provide much needed substance abuse treatment services to incarcerated female offenders, and the Governor's Drug and Alcohol Abuse Commission awarded a Drug Control and System Improvement Grant of \$25,600 to develop a horticultural therapy program for incarcerated violent and juvenile offenders with a substance abuse history.

The Institution is confident that it will successfully meet its new mission of remediation. The Institution also will continue to improve both the quality and the cost effectiveness of available correctional treatment services.

Sincerely,

  
Joseph Henneberry  
Director

## EXECUTIVE SUMMARY--THE YEAR IN REVIEW

This report presents information and statistical data on the operations, programs, and correctional populations served at Patuxent Institution during FY 1995. All data tables are presented within each relevant chapter. Following is a brief summary of the year in review:

### OPERATIONS

- The total operating cost for FY 1995 was \$24,545,239, a 7.8% increase over FY 1994's total operating cost. This increase can be attributed to the increased number and variety of programs operating at the Institution, which increased the bed turnover rate and custodial costs; the acquisition of the Maryland Correctional Institution-Women's Accounting staff, which increased administrative costs; and an 11% drop in the average daily population.
- The bed turnover rate at the Institution ranged as high as 600 offenders per month, due to the variety of programs and populations, particularly mentally ill offenders and technical parole violators, housed at the Institution. This type of movement is generally unheard of in a maximum security facility and contributed to increased custodial costs.
- The staffing level at Patuxent Institution decreased slightly (2%) from FY 1994. At the close of FY 1995, 493.7 staff positions were authorized.
- Extensive maintenance and security-based renovations were made to the facility in order to meet the Maryland Commission on Correctional Standards (MCCS) directives and the Occupational Safety and Health Administration (OSHA) standards.
- The Code of Maryland Regulations (COMAR) governing Patuxent Institution was extensively revised to reflect the new role and mission of Patuxent Institution and the creation of the Patuxent Youth program.

### PROGRAMS

- As a result of revisions to Article 31B effective October 1, 1994, reflecting Patuxent Institution's new mission and role of providing remediation programs and services to youthful eligible persons, the structure of the Eligible Person (EP) program was modified and refined this past fiscal year to provide more tailored and specific treatment for eligible persons through Remediation Management Teams (RMTs). Specific treatment modules also have been devised and implemented.

- A number of programmatic changes were made to accommodate the Patuxent Youth program, which went into effect on October 1, 1994. This program authorizes the courts to order juvenile offenders and youthful offenders adjudicated as adults to Patuxent Institution for evaluation. This non-voluntary program is housed at the Institution and addresses the unique remediation needs of this population. The Institution anticipated the needs of this population by developing a specialized treatment regimen.
- The Regimented Offender Treatment Center (ROTC), a Department of Health and Mental Hygiene (DHMH) certified substance abuse program, which is part of the Correctional Options (COP) program grant, was established at Patuxent Institution in conjunction with the Division of Parole and Probation in May 1994. This program is the only certified addictions treatment program in a State correctional facility and has had over 300 graduates to-date. With the assistance of Patuxent Institution staff, a Reentry Aftercare Center (RAC) at Patuxent Institution's ReEntry Facility in Baltimore was established to provide aftercare services to offenders leaving the ROTC and Boot Camp programs.

## **CORRECTIONAL POPULATIONS**

### **EP Program**

- In Fiscal Year 1995, Patuxent Institution staff evaluated 113 offenders for admission to its treatment programs. Of the offenders evaluated, 44% were accepted. Only one offender was evaluated for consideration in the Patuxent Youth program.
- As of the close of FY 1995, 11 offenders were under evaluation for the Patuxent Youth program. This number is expected to increase as the courts become more familiar with the Patuxent Youth program.
- A total 384 offenders were participating in Patuxent Institution's treatment programs at the end of FY 1995. This number includes 25 offenders on work release status, 5 offenders on parole to the ReEntry Facility (REF), and 59 parolees in the community, one of whom is on Interstate Corrections Compact (ICC) transfer. Two community parolees died of natural causes during the course of the year.
- Male offenders comprise 89% of the treatment population, and female offenders comprised 11%.
- The Board of Review reviewed a total of 388 cases for FY 1995, an average of 32 cases per month. A status of some type was granted to 30 offenders, and six community parolees were recommended to the court for complete release status. The Board of Review found 16 offenders no longer eligible to participate in Patuxent Institution's treatment program.

- During the course of FY 1995, 121 offenders were completely discharged from Patuxent Institution's authority. Approximately 41% of the offenders discharged were found non-eligible during staff evaluations, and another 41% of the offenders discharged had voluntarily opted out of the EP program.
- No offenders paroled since FY 1990 have been reconvicted of a new offense.

#### **Correctional Mental Health Center-Jessup (CMHC-Jessup)**

- In FY 1995, an average of 164 mentally-ill offenders were housed at Patuxent Institution in the Correctional Mental Health Center-Jessup (CMHC-Jessup). Approximately 380 referrals from the Division of Correction were accepted and, in spite of 200 admissions for suicidality, no offender seriously injured him or herself while at the CMHC-J. This record reflects highly on the management of the Center.
- A comprehensive aftercare program, which coordinates services with agencies and organizations in the community, has been implemented for mentally-ill offenders leaving the correctional system.
- An important interagency agreement between the CMHC-Jessup and the DHMH remains in place to coordinate a smooth transition for mentally-ill offenders about to leave the correctional system and require further inpatient care. This agreement ensures continuity of care for the patient and provides another measure for public safety.

#### **DOC Annex**

- Patuxent Institution housed an average of 401 Division of Correction transient inmates to alleviate overcrowding throughout the Department of Public Safety and Correctional Services' (DPSCS) correctional facilities.
- As of the close of FY 1995, nearly 900 parole revocation hearings were held at the Institution.

#### **HIGHLIGHTS**

- Patuxent Institution, in conjunction with Friends Medical Science Research Center (Friends), was awarded a grant of \$2.3 million over five years from the National Institute of Drug Abuse (NIDA). This project entitled, "Effective Addiction Treatments for Female Offenders," is a cooperative effort between Patuxent Institution, Friends, and Maryland Correctional Institution-Women and will provide a variety of much needed substance abuse treatment services for more than 600 incarcerated female offenders while simultaneously evaluating the effective of three treatment approaches.

- Patuxent Institution was awarded a Drug Control and System Improvement Grant of \$25,600 through the Governor's Drug and Alcohol Abuse Commission by the Bureau of Justice Assistance, Office of Justice Programs, for a project entitled, "The Patuxent Institution Horticultural Therapy Program." This unique program, designed to meet the needs of incarcerated violent juvenile and youthful offenders with a substance abuse history, will provide therapy and remediation services, reduce substance abuse, alcohol abuse, and violence; and teach vocational skills.
- The Patuxent Institution Psychological Testing Center was established to modernize and streamline the assessment and evaluation process for offenders participating in Patuxent Institution's treatment programs. The Center will be expanded in FY 1996 to include the processing of psychological tests for the Division of Correction and the Correctional Options program, thereby providing cost efficiencies of scale.
- Extensive security and maintenance renovations to provide additional security to the Institution, to meet Occupational Safety and Health Administration (OSHA) standards and to facilitate the accommodation of specialized programs and populations at the Institution.
- Initiation of several internal and external research projects.
- Offender construction of low-income modular housing units for use in Howard County's public housing program.
- Offender volunteer services to community organizations, such as Mothers Against Drunk Driving, the Bea Gaddy Foundation, and the Thurgood Marshall Walk-a-thon.



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## **CHAPTER I. INTRODUCTION**

Patuxent Institution is located in Jessup, Maryland, and was created in 1951 by the Maryland State Legislature. Patuxent Institution's governing legislation is Article 31B of the Annotated Code of Maryland. Although part of the Maryland Department of Public Safety and Correctional Services (DPSCS), Patuxent Institution remains separate from the Division of Corrections (DOC). Patuxent Institution is unique in that it operates as a complete correctional system with its own community ReEntry facility, parole authority (Board of Review), parole supervision functions, comprehensive treatment programs, and research capabilities.

Patuxent Institution's Board of Review is an integral part of the Institution's overall treatment program. The Board of Review is composed of nine members, including the Director of Patuxent Institution, two Associate Directors, a Warden, and five members of the general public, one of whom is a member of a victim's rights organization. In addition, an eight member Citizen's Advisory Board, appointed by the Governor, advises the Director and the Secretary on the operations and programs of Patuxent Institution.

### **1.1 Background.**

Under the original Article 31B, Patuxent Institution served a special group of criminal offenders known as, "Defective Delinquents," who were involuntarily committed to Patuxent Institution under an indeterminate sentence. In 1977, Article 31B was revised to abolish the definition of "defective delinquent" and the involuntary commitment of offenders under an indeterminate sentence. In its stead, the "Eligible Person" (EP) program was created to provide specialized treatment services to offenders accepted into the EP program. This program focused on the rehabilitation of habitual criminals.

In FY 1989, the Maryland General Assembly mandated an evaluation of Patuxent Institution. The study completed in FY 1991 by Abt Associates, Inc., noted that Patuxent Institution's admission practices were biased in favor of admitting higher risk, older offenders, a situation that was

consistent with the Institution's interpretation of its mission and purpose during the period studied (1977 through 1988).

Based in part on the results of the Abt Study, the Secretary of the Department of Public Safety and Correctional Services requested an internal study of Patuxent Institution with recommendations for an alternative mission and purpose. This internal study resulted in the October 1994 amendment to Article 31B, which revises Patuxent Institution's role and mission to emphasize the treatment of youthful offenders, with the goal of remediation, as a means to protect the public from further criminal victimization. Also in October 1994 was the creation of the Patuxent Youth program to address the needs of juvenile and youthful offenders waived as adults.

Today, Patuxent Institution houses a diverse population, including female offenders who first were housed at Patuxent Institution in 1989; mentally-ill offenders who have been housed at Patuxent Institution since 1992, when the Institution was designated as the inpatient mental health center for the State correctional system; and Patuxent Youth, juveniles and youthful offenders waived as adults. The establishment of the Correctional Mental Health Center-Jessup (CMHC-J) at Patuxent Institution increases the bed space available in other DOC facilities, improves mental health services, and saves the State more than \$800,000 per year in contractual medical costs. In addition, Patuxent Institution houses DOC inmates to alleviate overcrowding throughout the State correctional system and, on a temporary basis, DOC inmates scheduled for parole revocation hearings.

## **1.2 Programs.**

This year, current operations were profoundly affected by the October 1994 revision of Article 31B, which governs Patuxent Institution. Major changes to Article 31B included a revised role and mission, which focus on providing remediation services to youthful eligible persons, and a limit on the number of Eligible Persons (EPs) to 350. The central goal of the new remediation treatment philosophy is to identify the specific deficits of the offenders which are directly related to crime and to correct, modify, or minimize these deficits through specialized, focused treatment

services. To address the specific needs of offenders most efficiently and cost-effectively, and to meet the mandate of the revised Article 31B, treatment staff developed formalized treatment modules (such as Social Skills, Moral Problem Solving, and Relapse Prevention), and specialized programs, such as the Patuxent Drug Recovery Program (PDRP). This change in treatment philosophy also resulted in the restructuring of the treatment staff into smaller, more flexible treatment teams, Remediation Management Teams (RMTs), which include a custody officer. All services provided by the treatment staff are coordinated with basic education, vocational training, and institutional jobs.

In addition to the revision of Article 31B in March of 1994, which governs the EP program, was the creation of the Patuxent Youth Program under Article 27, §690A-1 (House Bill 1109). This non-voluntary program authorizes the courts to order juvenile and youthful offenders, adjudicated as adults and meeting certain eligibility criteria, to Patuxent Institution for evaluation for the Patuxent Youth program, effective October 1, 1994. It is anticipated that this program will serve approximately 100 offenders per year when it reaches full capacity. Treatment staff spent the past year developing and modifying programs to address the needs of this special population and currently are evaluating a number of offenders for consideration in the program.

The Code of Maryland Regulations (COMAR) governing Patuxent Institution was extensively revised this past fiscal year to reflect the new role and mission of Patuxent Institution and the creation of the Patuxent Youth Program. It is anticipated that the revised COMAR will be finalized this Fall and available to the Public this Winter/Spring.

As the only treatment-oriented, correctional facility in the State, Patuxent Institution serves various populations and functions as a center for developing and testing the efficiency and cost-effectiveness of innovative programs. In May of 1994, the Regimented Offender Treatment Center (ROTC), part of the Correctional Options (COPS) program grant awarded to the Department of Public Safety and Correctional Services, was established at Patuxent Institution in conjunction with the Division of Parole and Probation. ROTC is an alternative to incarceration

program which provides intensive evaluation, treatment, and referral services for non-violent, substance-abusing Division of Correction (DOC) inmates about to leave the correctional system or for DOC parolees who have returned to using drugs while on parole. Each offender receives a comprehensive psycho-social evaluation focused upon the offender's substance abuse. Patuxent Institution staff have provided extensive training in an innovative model of substance abuse assessment and treatment developed by Dr. Henry J. Richards, Associate Director, Treatment. The ROTC is certified as an addictions treatment program by the Department of Health and Mental Hygiene and is the only certified addictions treatment program in a State correctional facility. Since the program's inception on June 1, 1994, nearly 300 offenders have successfully completed the program. Program capacity is expected to increase this year.

With the assistance of Patuxent Institution staff, an extension of the ROTC program, the Reentry Aftercare Center (RAC), was established at Patuxent Institution's ReEntry Facility (REF) in FY 1995. The RAC serves as a day reporting center for ROTC graduates and offers a variety of services and interventions which have been devised to facilitate the individual's reintegration into the community. The RAC will insure continuity of care and continued supervision to individuals successfully completing the ROTC program and graduates of Boot Camp. Next year's plans include the expansion of the program to accept referrals from Parole and Probation's Home Detention Unit.

In May of 1994, a mechanism for conducting parole revocation hearings for DOC technical parole violators was established at Patuxent Institution on a temporary basis. This process used to be conducted at the Maryland Reception, Diagnostic, and Classification Center. Offenders now are housed at Patuxent Institution until they have a hearing. Approximately 8-12 offenders are seen daily, and more than 1,200 offenders have been processed since the inception of the program.

### **1.3 Highlights.**

One of the main highlights of the year was the award of a \$2.3 million, five year grant by the National Institute of Drug Abuse (NIDA). The cooperative project between Patuxent Institution,

Friends Medical Science Research Center, and the Maryland Correctional Institution-Women (MCI-J) is entitled, "Effective Addiction Treatments for Female Offenders," and will provide a variety of much needed substance abuse treatment services for more than 600 incarcerated female offenders over the course of the five year grant, while simultaneously evaluating the effectiveness of three treatment approaches, an assessment-driven model, the Therapeutic Community model, and a Psychoeducational model. Associate Director, Henry J. Richards, is the Project Director, and this award culminated two years of grant writing efforts.

Another successful grant writing effort was the award of a Drug Control and System Improvement Grant of \$25,600 through the Governor's Drug and Alcohol Abuse Commission by the Bureau of Justice Assistance, Office of Justice Programs. Entitled, "The Patuxent Institution Horticultural Therapy Program," this one year grant, with the potential of two additional years of funding, creates a horticultural therapy program designed specifically to meet the needs of incarcerated violent juvenile and youthful offenders with a substance abuse history. The unique program's three primary goals are to provide therapy and remediation services; reduce substance abuse, alcohol abuse, and violence; and teach vocational skills. The program consists of both gardening and greenhouse components.

In an effort to modernize and streamline the assessment and evaluation process of incarcerated offenders, Patuxent Institution created a computerized Psychological Testing Center. Complete with a Pentium computer, a forms scanner, and a laser printer, the Center increases the efficiency of scoring and evaluating various psychological tests, thereby freeing up staff to provide needed treatment services for the offenders. The Center also permits the development of inhouse tests and questionnaires. Operational since March of 1995, the Center will be expanded in FY 1996 to include the processing of psychological tests for the entire Division of Correction and the Correctional Options (COP) program, thereby providing cost efficiencies of scale.

This year, several major projects were completed by the Maintenance Department which provided added security and maintenance to the Institution, met Occupational Safety and Health

Administration (OSHA) standards, and facilitated the accommodation of specialized programs and populations at the Institution. These projects included: a modern telephone system; renovating all of the Institution's security gates; replacing leaky roofs and inefficient generators; resurfacing floors; and providing basic maintenance to several building areas.

Other institutional highlights include:

- Initiation of several internal and external research projects, all of which are ongoing;
- Construction of low-income, modular housing units for use in Howard County's public housing program; and
- Provision of comprehensive aftercare services to mental health offenders leaving the correctional system.

#### **1.4 Offender Services to the Community.**

Part of an offender's progress and treatment at Patuxent Institution is the development of a sense of social responsibility. Offenders are encouraged to participate in volunteer services and programs which provide an opportunity for the offenders to give something back to society. Several of these most notable programs, which originate from the offenders, are:

- **The Reasoned Straight Program.** Patuxent Institution male offenders have developed a counseling program targeted to at-risk young males, many of whom are already showing signs of delinquent behavior. This structured program has five consecutive weekly sessions centered around different themes, such as, "What's So Good About Being Bad?" This program serves approximately 500 children per year, and graduates of the program receive a certificate of accomplishment.
- **Women Reasoning About Problems (WRAP).** A female version of the Reasoned Straight Program, the WRAP program targets young women who are encountering difficulties in their lives in an attempt to help them avoid those things that would result in their being incarcerated.

This year, the Reasoned Straight Program and the Women Reasoning About Problems program jointly developed a newsletter to inform various agencies and organizations in the State who participate in the program about its activities, including membership profiles,



interviews, and articles. The two groups also participated in the nationally recognized "Make a Difference Day" by sponsoring a letter writing campaign which was subsequently published in booklet form. With assistance from the Director's and Warden's offices, an Appreciation/Recognition Day was held to express gratitude to all volunteers and participants. This event was covered by WBAL Channel 12 and WMAR Channel 11. As a result of this coverage and articles published in local newspapers, these two programs are now serving additional, at-risk youth.

- **Services to the Blind and Print Handicapped: The Mensa Friends Program.** Offenders volunteer their services to create audio cassettes of books and articles for the Stephanie Joyce Kahn Foundation in New York and other print handicapped programs. Duplicated tapes have been distributed throughout the United States, including Puerto Rico and the Virgin Islands. Offenders also repair cassette players for the Library of Congress and the Maryland State Library for the Blind and Physically Handicapped.
- **Mothers Against Drunk Driving (MADD) Ribbon Project.** Each October, the female EP offenders volunteer their services to assist in creating half a million (500,000) red ribbons for MADD's annual fund drive and drunk driving awareness campaign. These red ribbons go to MADD offices in Anne Arundel, Montgomery, and Prince George's counties.
- **Bea Gaddy Foundation.** Ms. Bea Gaddy, of Baltimore City, has spent her life helping the homeless and needy of Baltimore City. This past year, Patuxent Institution offenders assisted Ms. Gaddy in her efforts by collecting boxes of canned food goods. Patuxent Institution and its staff also participated in the Bea Gaddy Foundation by donating boxes of unclaimed, abandoned clothing and canned goods.

## **CHAPTER II. PATUXENT INSTITUTION TREATMENT PROGRAMS**

### **2.1 The Eligible Person (EP) Program.**

Patuxent Institution's Eligible Person (EP) program was established in 1977 and serves up to 350 offenders annually, 300 male offenders and 50 female offenders. In March of 1994, the General Assembly passed House Bill 425 which revised Article 31B to reflect a new role and mission for the Institution. Whereas the Institution's former role and mission focused on rehabilitating habitual, older criminals, under revised Article 31B effective October 1, 1994, the new role and mission of the Institution is the remediation of youthful offenders.

In rehabilitation, individuals are returned to their former state which, in the case of criminals, is rarely desirable. In contrast, Patuxent's remediation approach focuses on identifying those specific elements which contribute to an offender's criminal lifestyle (such as a lack of coping skills, poor anger management, and education and vocational skills), and designing interventions to effectively address the identified deficits and disabilities so that offenders can learn new behaviors, adopt new coping strategies, and develop compensatory strengths that will decrease their involvement in crime.

In order to be eligible to be evaluated for admission to Patuxent Institution's EP program, offenders in the State of Maryland correctional system must: 1) have three years or more remaining on their sentence, 2) have an intellectual impairment or emotional unbalance, 3) be likely to respond favorably to the programs and services provided at Patuxent Institution; and 4) be better able to respond to remediation through Patuxent Institution's programs and services than by other incarceration. Excluded from consideration for Patuxent Institution's EP program are those offenders who: 1) are serving two or more sentences of imprisonment for life under the provisions of Article 27, Section 412 of the Code; 2) are serving one or more sentences of imprisonment for life when a court or jury has found, beyond a reasonable doubt, that aggravating circumstances existed under the provisions of Article 27, Section 413 of the Code; or 3) have been convicted of murder in the first degree, rape in the first degree, or a sexual offense in the first

degree unless the sentencing judge, at the time of sentencing or in the exercise of the judge's revisory power under the Maryland Rules, recommends that the person be referred to Patuxent Institution for evaluation.

Patuxent Institution is unique in that it functions as a complete correctional system with a community ReEntry Facility (REF) and parole authority and supervisory functions through the Board of Review. A wide range of services are offered to offenders in the EP program, including psychological, psychiatric, social casework, and medical services, as are living and parenting skills. In addition, academic and vocational skills are taught, and recreational and religious services are offered. Specialized programs within the EP program also are offered, such as Patuxent Institution's Patuxent Drug Recovery Program (PDRP). An integral part of the EP program is the establishment of an effective research, development, and training effort in order to evaluate and recommend improvements on an ongoing basis. For example, a preliminary study in FY 1994 of the psychological impact of the PDRP showed that participants became significantly less emotionally disturbed and more compliant over an 8-month period. Also research projects to explore the reliability of various psychological tests used at the Institution and to assess recidivism factors are currently underway.

## **2.2 Patuxent Youth Program.**

Admission criteria for the Patuxent Youth program is similar to the EP program. That is, Patuxent Youth must have three years or more remaining on their sentence, have an intellectual impairment or emotional unbalance, be likely to respond favorably to the programs and services provided at Patuxent Institution; and be better able to respond to remediation through Patuxent Institution's programs and services than by other incarceration. However, offenders for consideration in the Patuxent Youth program must be referred to Patuxent Institution for evaluation by the court at sentencing and must be younger than 21 years old at the time of the referral. The Patuxent Youth program also is non-voluntary. Patuxent Youths admitted to the program remain at Patuxent Institution until: 1) the Director of Patuxent Institution orders the offender transferred to the DOC, 2) the Patuxent Institution Board of Review, with the approval of

the Secretary of Public Safety and Correctional Services, grants parole to the offender; or 3) the offender's term of imprisonment is completed as provided by law. Offenders excluded from consideration for the Patuxent Youth program are those offenders who: 1) are serving two or more sentences of imprisonment for life under the provisions of Article 27, Section 412 of the Code; 2) are serving one or more sentences of imprisonment for life when a court or jury has found, beyond a reasonable doubt, that aggravating circumstances existed under the provisions of Article 27, Section 413 of the Code; or 3) have been convicted of murder in the first degree, rape in the first degree, or a sexual offense in the first degree unless the sentencing judge, at the time of sentencing or in the exercise of the judge's revisory power under the Maryland Rules, recommends that the person be referred to Patuxent Institution for evaluation.

### **2.3 Treatment Program Modifications.**

In March of 1994, the existing EP program was modified extensively to reflect the Institution's new mission of remediation and to accommodate the Patuxent Youth program. The treatment program was restructured from four treatment units into two treatment units, each consisting of three Remediation Management Teams (RMTs). An RMT is a multidisciplinary team comprised of members from the disciplines of social work and psychology, a senior correctional officer (Lieutenant or Major), and a consultant psychiatrist. Each RMT oversees and coordinates the activities of approximately 75 inmates. While these teams provide a case management function for these inmates, they are structured in a manner in which the inmate's primary therapist is not affiliated with the RMT overseeing that particular inmate's case. This separation of treatment and case management function serves to increase objectivity in decision-making related to inmate needs and progress in treatment.

In coordination with the development of the RMT concept was the development of specialized treatment modules and programs to which offenders are assigned. These modules included: two substance abuse programs, one each for male and female inmates; groups for those with a history of being sexually abused and a corresponding module for those who were physically abused; moral problem solving groups; an early memories group utilizing Arnold Bruhn's Early Memories

Procedure; and a social skills group. Beyond this basic core of modules, the Institution also has a more comprehensive relapse prevention module, an assertiveness training module, and other interventions coordinated through remediation plans. This multidisciplinary, modular approach allows for more tailored treatment to meet the specific needs of each offender. Other modifications included expanding the diagnostic evaluation process to include treatment recommendations and replacing tier counseling with quarterly meetings with the offenders. Components of the program which have proved useful, such as the graded tier system, were retained.

#### **2.4 Program Treatment, Modules, and Specialized Programs.**

Upon being evaluated and accepted into either the EP or Patuxent Youth program, an offender is assigned to a Remediation Management Team (RMT), which is responsible for the offender's treatment throughout incarceration. Patuxent Institution's treatment program is based on a four-level, graded tier system. These four levels differ in privileges allowed to the inmates based on their demonstration of responsible behavior within the program. Offenders progress through these levels based on Institutional adjustment, therapeutic progress, and responsible self-regulation. Promotion or demotion decisions are made by the Unit based on RMT recommendations and evaluations. Offenders who successfully reach the highest level become eligible for a Unit recommendation to participate in Patuxent Institution's conditional release program (see Section 2.7, Conditional Release Program, for more detail).

Based on identifying an offender's specific deficits and treatment needs, the RMTs develop a treatment plan and refer offenders to various treatment modules and/or tailored specialized treatment programs. Modules include treatment areas such as basic therapy, social skills, moral problem solving, anger management control, decision making, assertiveness, individual therapy, and relapse prevention. Current specialized programs include the Patuxent Drug Recovery Program (PDRP) and the Patuxent Drug Recovery Program for Women (PDRP-W). Each offender's treatment plan is revised at least annually. Therapy addresses behavioral and attitudinal change, with an emphasis on developing an understanding of the effects and consequences of the

offenders' crimes on victims, society, significant others, and self. Offenders who fail to fully participate in treatment may be removed from either program by the Board of Review.

One of the highlights of Patuxent Institution's treatment program is its specialized substance abuse treatment programs, the Patuxent Drug Recovery Program for Men (PDRP) and the Patuxent Institution Drug Recovery Program for Women (PDRP-W). In FY 1992, Dr. Henry J. Richards, Associate Director, in conjunction with Dr. David Nurco, Department of Psychiatry with the University of Maryland Medical School, developed the pilot PDRP substance abuse treatment program for men in an attempt to break the link between offenders' substance abuse problems and criminal activity. Program development activities were supported by the National Institute of Corrections' (NIC) technical assistance grant which was awarded to the Department of Public Safety and Correctional Services in January of 1990 for three years. The PDRP provides specialized inpatient treatment and community aftercare services to offenders whose criminality appears to be causally related to their drug abuse problems. In February 1995, external funds from the National Institute on Drug Abuse (NIDA) were awarded for up to five years to address the specific substance abuse treatment needs of female offenders (see Section 1.2, Institutional Highlights). It is believed that correctional drug treatment programs can form an important part of effective drug and crime control prevention strategies, and it is hoped that these substance abuse programs will become model national programs. Benefits of these substance abuse programs include better allocation of prison bed space and treatment resources, improved management of offenders released to the community on parole, and improvements in the level of public safety. The majority of these services will be delivered at MCI-W by or under the supervision of Patuxent staff.

## **2.5 Education, Vocational Skills, and Institutional Job Programs.**

An integral part of Patuxent Institution's treatment programs is the furtherance of one's education and the development of vocational skills training for offenders. Many offenders enter prison without a high school diploma and have never learned a trade or held a productive job. With education and/or vocational training, offenders are better prepared to return to society with the

necessary knowledge and skills to maintain crime-free lives in the community. While in the EP and Patuxent Youth programs, offenders are expected to fully participate in education and/or vocational skills training. As of the end of FY 1995, 119 offenders were enrolled in the school (up 34% from FY 1994), with 64 offenders in academic courses and 55 offenders in vocational shops.

Patuxent Institution's Education Department is under the joint management of the Director and the Maryland State Department of Education (MSDE). Correctional Principal James Younger supervises a staff of six general academic instructors, one special education instructor, five vocational instructors, and one librarian from MSDE. The academic/special education instructors prepare offenders for achieving Eighth grade certificates and General Equivalency Diplomas (GEDs). Eighth grade certificates were awarded to 102 offenders in Patuxent's EP program, more than double the number awarded in FY 1994. The GED was awarded to 13 EP offenders. No college courses were offered in Fiscal Year 1995.

Currently, vocational shops are only offered to offenders in Patuxent Institution's treatment programs. The vocational instructors provide vocational skills in six vocational shops: auto mechanics, barber science, building maintenance, plumbing, residential house wiring, and sheetmetal. Certificates for successful completion of vocational shops were awarded to 46 offenders, 6 of whom were female. The 46 certificates were awarded in the following shops: Auto Mechanics (9), Barber (4), Building Maintenance (11), Plumbing (9), Residential House Wiring (5), and Sheetmetal (8).

Of the 41 offenders who received conditional release status this fiscal year:

- 34% (14 offenders) had earned a GED at Patuxent Institution, and three of these offenders had obtained an AA degree.
- Of the 24% (10 offenders) granted conditional release status who had arrived at Patuxent Institution with a high school diploma or greater, 80% (8 offenders) had furthered their education by obtaining an AA or BA degree.

- Nearly 54% (22 offenders) had participated in vocational training classes during the course of their incarceration at Patuxent Institution.

In addition to furthering their education and developing vocational skills, offenders participate in Patuxent's Institutional Job program. As part of their treatment, offenders maintain an Institutional job, such as in sanitation or State Use Industries. Through this program, offenders begin to develop a work ethic (many for the first time), learn the value of productive work, and acquire work experience so that they are better prepared to return to society as productive citizens. A recent study by the Bureau of Prisons' Office of Research and Evaluation (ORE), "The Post-Release Employment Project (PREP)," lends support to the notion that prison work and training programs have a significant positive impact on participants. Initial results of this study found that offenders who received training and work experience while incarcerated were less likely to receive misconduct (incident) reports in prison, were more likely to be employed during their halfway house stay and after release, and were less likely to recidivate than similar offenders who are not trained or employed during their imprisonments (Federal Prison Journal, Winter 1992, page 33).

## **2.6 Recreation, Religious, and Volunteer Programs.**

Integral to the treatment programs are recreation, religious, and volunteer activities. Administered by the Warden's Office, Patuxent Institution's recreation, religious, and volunteer programs have more than 379 community volunteers yearly, 100 of whom volunteer on a regular basis. Patuxent Institution's recreational activities include daily gym or yard activities and intramural sports.

Patuxent Institution's religious program provides numerous activities to assist offenders with their spiritual growth and development. The religious program is coordinated by Chaplain Banks who has been coordinating Patuxent Institution's religious activities for 21 years. The religious program consists of Bible study, Sunday services, and an all male choir, Voices of Freedom. The religious program covers all denominations, and each Sunday a different, "visiting" Church holds ceremonies. On any given occasion, up to 200 offenders may participate in a religious activity.



Patuxent Institution's volunteer programs are coordinated by Mr. Carroll Washington. These volunteer programs are originated by the offenders and provide an opportunity for the offenders to "give something back to society." It is estimated that at least 75% of the offenders at Patuxent Institution, including DOC offenders, participate in some volunteer program. These programs include:

- **The Reasoned Straight Program.** Patuxent Institution male offenders have developed a counseling program targeted to at-risk young males, many of whom are already showing signs of delinquent behavior. This structured program has five consecutive weekly sessions centered around different themes, such as, "What's So Good About Being Bad?" This program serves approximately 500 children per year, and graduates of the program receive a certificate of accomplishment.
- **Women Reasoning About Problems (WRAP).** A female version of the Reasoned Straight Program, the WRAP program targets young women who are encountering difficulties in their lives in an attempt to help them avoid those things that would result in their being incarcerated.
- **Services to the Blind and Print Handicapped: The Mensa Friends Program.** Offenders volunteer their services to create audio cassettes of books and articles for the Stephanie Joyce Kahn Foundation in New York and other print handicapped programs. Duplicated tapes have been distributed throughout the United States, including Puerto Rico and the Virgin Islands. Offenders also repair cassette players for the Library of Congress and the Maryland State Library for the Blind and Physically Handicapped.
- **Various Self Help Groups.** Groups such as Alcoholics Anonymous (AA) and Narcotics Anonymous (NA) assist offenders in dealing with alcohol and substance abuse problems.

In addition, offenders assist various volunteer activities and groups, such as the Thurgood Marshall Black College Fund, Mother Against Drunk Driving (MADD), and the Sudden Infant Death Syndrome Alliance.

Patuxent Institution also has three Inmate Advisory Councils (IACs), one each representing Patuxent Institution male offenders, Patuxent Institution female offenders, and DOC transient offenders. Monthly, the IACs meet with the Director, the Associate Director of Treatment, the Warden, and the Chief of Security to discuss housing and other program issues of concern to the

offender population. These IACs, which foster open communications between the administration and the offender population, alleviate any potential situations that might arise before they can develop and also result in promoting a harmonious environment in the facility.

## **2.7 Conditional Release Program.**

As mentioned under Section 2.4, Program Treatment, Modules, and Specialized Programs, offenders who successfully reach Level IV of the graded tier system are eligible, after one year on Level IV, for recommendation for status in Patuxent Institution's pre-release program. Consideration for status is not automatic--it is the result of a consensus of the RMT and Unit treatment staff that more intensive study of the offender's progress and adjustment is warranted. Patuxent Institution's Board of Review also may, at any time, direct a treatment unit to conduct an evaluation on an offender with regard to a status consideration. Such evaluations may result in either a recommendation for pre-release status, a recommendation that the offender has reached maximum benefit from the program and should be returned to the DOC, or a reformulation of treatment approach without a recommendation for a change in status. The Board of Review is in no case bound to support a treatment unit's recommendation.

The Board of Review may grant participation in one of several pre-release and reentry programs. These programs consist of gradual, hierarchical steps toward return to the community and provide the staff with opportunities to assess the offender's adjustment as external structure is gradually decreased. Pre-release and reentry programs include:

- **Accompanied Day Leaves**, in which Patuxent Institution staff accompany the offender on an approved day leave;
- **Work/School Release Status**, in which the offender is permitted to work or attend school in the community during the day while residing in Patuxent Institution's reentry facility;
- **Parole to the Reentry Facility**, in which the offender resides in the reentry facility and prepares for release to the community; and

- **Community Parole**, in which the offender establishes an independent living situation in the State.

Patuxent Institution's pre-release and reentry programs are strictly monitored. All leaves are conducted based on itineraries approved in advance by the Board of Review. All forms of employment or contractual agreements and residences also must be approved by the Board of Review. Staff telephone checks, job and home checks, unannounced visits, and drug testing (EMIT urinalysis) of the offender are all routine aspects of the conditional release program.

Failure on the part of the offender to fully comply with the conditions of any pre-release status is grounds for sanctions against the offender, sanctions which range from revocation of status, return to Patuxent Institution for incarceration, or removal from the treatment program. The Board of Review also may impose any additional monitoring procedures, restrictions, limitations, or requirements on the offender which the Board of Review views as consistent with ensuring public safety and furthering the therapeutic goals of the treatment programs.

### **CHAPTER III. CORRECTIONAL MENTAL HEALTH CENTER-JESSUP**

In FY 1992, the Secretary of Public Safety and Correctional Services mandated the consolidation of mental health services to the Division of Correction under the management of the Director of Patuxent Institution. Thus, Patuxent Institution, under the leadership of Director Henneberry, became the State administrative headquarters and the residential treatment center for housing offenders in the correctional system who were found legally responsible for their crimes.

The Correctional Mental Health Center-Jessup (CMHC-Jessup) provides mental health and medical services to mentally-ill offenders. The goals of the CMHC-Jessup are to effectively and efficiently administer mental health services to those offenders in the State of Maryland correctional system who require them and to provide an after-care component for those mentally-ill offenders upon completion of their sentence. In FY 1995, an average of 164 mentally-ill offenders were housed at Patuxent Institution in the CMHC-Jessup. Over the year, approximately 380 referrals from the DOC were accepted. In spite of almost 200 admissions for suicidality, no offender seriously injured him or herself while at the CMHC-J. The centralization and consolidation of mental health services for offenders at Patuxent Institution offers considerable cost savings to the State, with projected savings of more than \$800,000 per year in contractual medical costs. Additional benefits include improved resource allocation within the correctional system as a whole, reduced disruption in the operation of other correctional facilities, and increased bed space in those facilities through double-celling.

The CMHC-Jessup also provides a comprehensive, after-care plan for mentally ill offenders. Mr. Richard Warren, a Licensed Certified Clinical Social Worker, at the direction of Director Henneberry provides comprehensive after care planning with all mentally ill offenders who return to the community due to mandatory release or parole. These service plans include both inpatient and outpatient services, determined by the level of care needed at time of release. Referrals not only address the immediate psychiatric needs of the inmate, but also may include substance abuse, housing, entitlements such as Social Security, housing and other social support.

In 1994, an inter-agency agreement with the CMHC-Jessup and the Department of Health and Mental Hygiene was developed to coordinate a smooth transition for inmates/patients who are about to leave the correctional system and require further inpatient care. As these inmates complete their sentence, they are discharged to the inpatient care of one of the regional mental hospitals or Clifton T. Perkins State Hospital. This important agreement ensures continuity of care for the patient and provides another measure for public safety to ensure those inmates with mental disorders are not a threat to themselves or others.

In the January 1995 Report to Governor Glendening, "Report of the State/Local Criminal Justice/Mental Health Task Force," treatment and public safety issues were addressed. The CMHC-J's comprehensive aftercare program's goal addresses the concern and recommendations voiced in this report. The Community Mental Health Social Work component of Correctional Mental Health Center seeks to:

- ♦ Provide access to resources for those individuals released back to the community for adequate mental health care so that psychological stability continues and monitoring for relapse occurs.
- ♦ Promote mental health and supervision to curtail criminal activity. The fundamental philosophy of this program is to enhance public safety through referrals to state, local, and community mental health agencies, police, and parole and probation offices.

These tasks are accomplished through the collaborative working agreements between the Mental Hygiene Administration, Community core service agencies, the Public Defender's Office for Client Services, the Parole Commission, the Division of Parole and Probation, to name a few of the positive interagency relationships that have been developed to address the mentally ill offender.

The CMHC-J is effectively addressing the needs of the mentally ill offender throughout the State correctional system. Despite nearly 200 admissions to the CMHC-J for suicidality, there were no successful suicides, which reflects highly on the management of the Center.

#### CHAPTER IV. FY 1995 OPERATING COSTS AND STAFFING LEVEL

Patuxent Institution's appropriation and expenditures for FY 1995 are presented in Table 4a, Operating Cost--FY 1995, on the following page. The total operating cost for FY 1995 was \$24,545,239, a 7.8% increase over FY 1994. This increase can be attributed to the increased number and variety of programs operating at the Institution, which increased the bed turnover rate and custodial costs; the acquisition of the Maryland Correctional Institution-Women's Accounting staff, which increased administrative costs; and an 11% drop in the average daily population. Education expenditures are not reflected in this budget for they come out of Maryland State Department of Education (MSDE) funds.

The bed turnover rate at the Institution ranged as high as 600 offenders per month, due to the variety of programs and populations, particularly mentally ill offenders and technical parole violators, housed at the Institution. This type of movement is generally unheard of in a maximum security facility and contributed to increased custodial costs.

At the close of FY 1995, 493.7 staff positions were authorized. These positions are divided as follows:

- 74% Custodial staff;
- 8% Food and maintenance staff;
- 9% Fiscal, medical, and support staff;
- 6% Clinical treatment staff; and
- 3% Administrative staff.

It should be noted that the Finance Department of the Maryland Correctional Institution for Women (MCI-W) in Jessup, Maryland, was merged into the Patuxent Institution Finance Department at the close of FY 1994 and resulted in an overall increase in staff positions for the Institution.

**TABLE 4a**  
**OPERATING COST--FY 1995**

<b>COST CATEGORIES</b>	<b>GENERAL FUNDS</b>	<b>SPECIAL FUNDS<sup>1</sup></b>	<b>TOTAL FUNDS</b>
<b>ORIGINAL APPROPRIATION:</b>	\$22,547,525	\$422,000	\$22,969,525
<b>ACTUAL EXPENDITURES:</b>			
General Administration	\$2,107,809		\$2,107,809
Custodial Care	15,050,410	\$479,977	15,530,387
Dietary Services	1,528,529		1,528,529
Plant Op./Maintenance	1,722,782		1,722,782
Diagnostic/Classification/Treatment Services <sup>2</sup>	3,388,162		3,388,162
Outpatient Services (ReEntry Facility)	267,570		267,570
<b>TOTAL OPERATING COST:</b>	\$24,065,262	\$479,977	\$24,545,239
<b>AVERAGE DAILY POPULATION:<sup>3</sup></b>	946		
<b>PER CAPITA COST:<sup>4</sup></b>	\$25,439		

<sup>1</sup>Inmate Welfare.

<sup>2</sup>Includes \$1,446,574 in Correctional Medical Services (CMS) contractual medical care costs.

<sup>3</sup>This population figure includes offenders in Patuxent Institution's Eligible Person (EP) program (including parolees), offenders held at Patuxent Institution on a temporary basis for the Division of Correction (DOC), and offenders in the Community Mental Health Center-Jessup. In Fiscal Year 1995, an average of 379 EP's, 401 DOC transient offenders, and 166 DOC mental health offenders were housed at the Institution.

<sup>4</sup>This year's per capita cost reflects an increase of 21% over FY 1994's per capita cost. The higher per capita cost can be attributed to a decrease in the average daily population, the acquisition of MCI-W's Accounting staff, and an increase in custodial costs due to the number and variety of programs operational within the Institution and the increased bed turnover rate.

## **CHAPTER V. OFFENDERS EVALUATED IN FY 1995 FOR TREATMENT AT PATUXENT INSTITUTION**

Up until FY 1994, Patuxent Institution had one treatment program, the Eligible Person (EP) program. In March 1994, the Maryland State Legislature created the Patuxent Youth program to treat juveniles and youthful offenders waived as adults and referred by the court at the time of sentencing to Patuxent Institution for evaluation (refer to Chapter II, Patuxent Institution Treatment Programs, for more information). Although the referral criteria is different for the programs, they both have the same evaluation process. This chapter presents data on the number of offenders evaluated for Patuxent Institution's treatment programs. Given the relative newness of the Patuxent Youth program, only one offender under consideration for the Patuxent Youth program had an evaluation completed as of the end of FY 1995. Therefore, data presented in this chapter combines data from both treatment programs.

Once an offender is referred to and arrives at the Institution for evaluation, a Patuxent Institution evaluation team is assembled to review relevant information on the offender and to begin the evaluation process. The evaluation process involves extensive psychiatric and psychological testing of the offender, and a thorough review of the offender's social, physical, and mental condition and history. The evaluation team of clinical, administrative, and custodial personnel (including at least one psychiatrist, one psychologist, and one social worker) then will determine whether or not the individual is eligible for the referred treatment program (EP or Patuxent Youth program). If the offender is found ineligible, he or she is returned to the custody of the Division of Correction. Offenders found eligible for the referred treatment program remain at Patuxent Institution for treatment.

In order to be found eligible for either the EP or Patuxent Youth program, an offender must, in addition to having three or more years remaining on his or her sentence:

- have an intellectual impairment or emotional unbalance;



- be likely to respond favorably to the programs and services provided at Patuxent Institution; and
- be better able to respond to remediation through Patuxent Institution's programs and services than by other incarceration.

However, those offenders referred by the court at the time of sentencing for the Patuxent Youth program must be younger than 21 years old at the time of referral.

In Fiscal Year 1995, the staff evaluated a total of 113 offenders for possible admission into Patuxent's treatment programs, an increase of 15% over FY 1994. Only one of the 113 offenders evaluated was under consideration for the Patuxent Youth program. As of the close of FY 1995, an additional 11 offenders were under evaluation for the Patuxent Youth program. The number of Patuxent Youth is expected to significantly increase next year as the courts become more familiar with the Patuxent Youth program, and next year's Annual Report will provide more detailed statistics on the Patuxent Youth. Of the 113 offenders evaluated, 50 offenders (44%) were accepted into the program, and 63 offenders (56%), including one offender referred to the Patuxent Youth program, were found not eligible and were returned to the Division of Correction.

### **5.1 Demographics**

Table 5a, Sex, Race, and Age Distribution of Offenders Evaluated at Patuxent Institution in FY 1995, on the following page, presents demographic data on the number and percent of eligible and ineligible offenders evaluated in FY 1995 by sex, race, and age categories and shows that:

#### **SEX**

- The majority of offenders evaluated and accepted into the program are male; however, 65% of the females evaluated were accepted into the program.
- The rate of acceptance for male offenders into the program was 40%. The difference between the acceptance rate of males and females into the program can be attributed to females having, on average, lower sentences than males.

#### **RACE**

- The percent of offenders evaluated by race closely resembles Maryland's correctional population.
- No Asian or Hispanic offenders were referred to Patuxent Institution for evaluation.

**TABLE 5a**  
**SEX, RACE, AND AGE DISTRIBUTION OF OFFENDERS EVALUATED AT**  
**PATUXENT INSTITUTION IN FY 1995**

CATEGORY	ELIGIBLE N=50		NON-ELIGIBLE N=63		EVALUATED N=113	
	#	%	#	%	#	%
<b>SEX</b>						
Female	13	26.0%	7	11.0%	20	18.0%
Male	37	74.0%	56	89.0%	93	82.0%
<b>RACE</b>						
African-American	35	70.0%	49	78.0%	84	74.0%
Asian	0	0.0%	0	0.0%	0	0.0%
Caucasian	15	30.0%	14	22.0%	29	26.0%
Hispanic	0	0.0%	0	0.0%	0	0.0%
<b>AGE</b>						
15-19	5	10.0%	10	15.9%	15	13.3%
20-24	26	52.0%	22	35.0%	48	42.5%
25-29	5	10.0%	5	7.9%	10	8.8%
30-34	4	8.0%	11	17.5%	15	13.3%
35-39	7	14.0%	6	9.5%	13	11.5%
40-44	1	2.0%	5	7.9%	6	5.3%
45-49	1	2.0%	3	4.7%	4	3.5%
50-54	0	0.0%	0	0.0%	0	0.0%
55+	1	2.0%	1	1.6%	2	1.8%
<b>MEAN:</b>	26 YEARS		28 YEARS		27 YEARS	
<b>MEDIAN:</b>	21 YEARS		22 YEARS		22 YEARS	
<b>RANGE:</b>	17-55 YEARS		17-59 YEARS		17-59 YEARS	

### AGE

- Offenders evaluated for the program ranged in age from 17 to 59, and the age of offenders accepted into the EP program averaged 26 years.

- Nearly 65 % of the offenders evaluated were under 30 years old, and 72 % of these offenders were found eligible for the EP program.
- The older an offender, the less likely the offender would be referred to the Institution for evaluation, given the Institution's new mission of remediating youthful offenders. Only 11 % of the offenders referred to the Institution for evaluation were 40 years old or older.
- Offenders 30-39 years old represent 22 % of the offenders accepted into the program.
- The only age category in which more offenders were accepted into the program than were found not eligible was the 15-19 year old group.

Table 5b, FY 1995 Evaluated Offenders' Place of Birth, below, lists the state or country (if not the United States) in which the evaluated offenders were born.

**TABLE 5b**  
**FY 1995 EVALUATED OFFENDERS' PLACE OF BIRTH**

State/COUNTRY	ELIGIBLE N=50		NON-ELIGIBLE N=63		EVALUATED N=113	
	#	%	#	%	#	%
California	1	2.0%	0	0.0%	1	0.9%
Delaware	0	0.0%	2	3.2%	2	1.8%
District of Columbia	11	22.0%	13	20.6%	24	21.2%
GERMANY	1	2.0%	0	0.0%	1	0.9%
GREECE	0	0.0%	1	1.6%	1	0.9%
JAMAICA	0	0.0%	2	3.2%	2	1.8%
Kentucky	0	0.0%	2	3.2%	2	1.8%
Maryland	32	64.0%	37	58.7%	69	61.1%
New Jersey	1	2.0%	0	0.0%	1	0.9%
New York	2	4.0%	1	1.6%	3	2.6%
North Carolina	0	0.0%	3	4.7%	3	2.6%
Pennsylvania	1	2.0%	0	0.0%	1	0.9%
Virginia	1	2.0%	2	3.2%	3	2.6%

As Table 5b illustrates:

- The majority of evaluated offenders found both eligible and ineligible for the treatment programs were born in the State of Maryland.
- Of the offenders accepted into the treatment programs in FY 1995, 64% were born in Maryland, and 22% of the offenders accepted into the EP program were born in the District of Columbia. Only one offender accepted for treatment was born in another country, Germany.

## 5.2 Offense Characteristics.

The offense characteristics of the offenders evaluated in FY 1995 can be discussed in three areas:

1) most serious offense, 2) sentence length in years, and 3) county of conviction. Three tables, Tables 5c-5e, present data on these three variables.

Table 5c, Most Serious Offense of Offenders Evaluated in FY 1995, on the following page, gives the number and percent of offenders evaluated in FY 1995 found eligible and ineligible for the treatment programs by type of offense. The various types of offenses are categorized into four broad categories used by the National Institute of Justice: 1) violent offenses, 2) property offenses, 3) drug offenses, and 4) public-order offenses. The following conclusions may be drawn from this table:

- Approximately 81% of the offenders evaluated for admission to the EP program were violent offenders. All of these offenders had received a judge's recommendation to Patuxent Institution for evaluation.
- Offenders who committed a violent offense represent 78% of the offenders accepted into the program.
- The percent of offenders accepted into the program with drug offenses increased significantly from 6% in FY 1994 to 18% in FY 1995. This increase can most likely be attributed to the increased number of offenders incarcerated for drug offenses in Maryland and nationwide. According to CESAR (Center for Substance Abuse Research), drug arrests in Maryland have increased 18% from 1988 through 1993, 30,263 arrests versus 35,744 (Maryland Compendium of Drug Abuse Indicators, pg. 7-A-4).

**TABLE 5c**  
**MOST SERIOUS OFFENSE OF OFFENDERS EVALUATED IN FY 1995**

TYPE OF OFFENSE	ELIGIBLE N=50		NON-ELIGIBLE N=63		EVALUATED N=113	
	#	%	#	%	#	%
<b>VIOLENT OFFENSES</b>	39	78.0%	53	84.1%	92	81.4%
Homicide	17	34.0%	17	27.0%	34	30.1%
Sexual Assault <sup>1</sup>	2	4.0%	8	12.7%	10	8.8%
Kidnapping	1	2.0%	0	0.0%	1	0.9%
Robbery	9	18.0%	16	25.4%	25	22.1%
Assault <sup>2</sup>	6	12.0%	5	7.9%	11	9.7%
Other Violent <sup>3</sup>	4	8.0%	7	11.1%	11	9.7%
<b>PROPERTY OFFENSES</b>	1	2.0%	3	4.8%	4	3.5%
Burglary	1	2.0%	2	3.2%	3	2.7%
Arson	0	0.0%	1	1.6%	1	0.9%
Larceny	0	0.0%	0	0.0%	0	0.0%
Other Property <sup>4</sup>	0	0.0%	0	0.0%	0	0.0%
<b>DRUG OFFENSES</b>	9	18.0%	6	9.5%	15	13.3%
Possession <sup>5</sup>	4	8.0%	0	0.0%	4	3.5%
Distribution	2	4.0%	4	6.3%	6	5.3%
Conspiracy	1	2.0%	1	1.6%	2	1.8%
Drugs--Other	2	4.0%	1	1.6%	3	2.7%
<b>PUBLIC-ORDER OFFENSES</b>	1	2.0%	1	1.6%	2	1.8%
Probation Violation	1	2.0%	1	1.6%	2	1.8%
Other	0	0.0%	0	0.0%	0	0.0%

<sup>1</sup>Sexual Assault includes rape (1st and 2nd degree) and attempted rape; sexual offense (1st, 2nd, and 3rd degree); and incest and child abuse.

<sup>2</sup>Assault includes battery and assault with intent to murder, rape, or maim.

<sup>3</sup>Other Violent includes conspiracy to murder, attempted murder, and accessory to murder; malicious wounding; attempted robbery with a deadly weapon; and handgun violations/carrying a deadly weapon.

<sup>4</sup>Other Property includes uttering and arson.

<sup>5</sup>Possession includes possession with intent to distribute.

Table 5d, Sentence Length in Years of Offenders Evaluated in FY 1995, below, reflects Patuxent Institution's growing tendency to admit offenders with a lower sentence length. Nearly 70% of the offenders accepted into the program had a sentence length of 15 years or less. This percentage is expected to increase significantly within the next few years.

**TABLE 5d**  
**SENTENCE LENGTH IN YEARS OF OFFENDERS EVALUATED IN FY 1995**

YEARS	ELIGIBLE N=50		NON-ELIGIBLE N=63		EVALUATED N=113	
	#	%	#	%	#	%
Less Than 5 Years	0	0.0%	0	0.0%	0	0.0%
5-10 Years	26	52.0%	17	27.0%	43	38.1%
11-15 Years	9	18.0%	16	25.4%	25	22.1%
16-20 Years	6	12.0%	11	17.5%	17	15.0%
21-25 Years	1	2.0%	6	9.5%	7	6.2%
26-30 Years	5	10.0%	3	4.7%	8	7.1%
31-35 Years	0	0.0%	1	1.6%	1	0.9%
36-40 Years	0	0.0%	1	1.6%	1	0.9%
41-45 Years	0	0.0%	1	1.6%	1	0.9%
46-50 Years	2	4.0%	2	3.2%	4	3.5%
50+ Years	0	0.0%	2	3.2%	2	1.8%
LIFE	1	2.0%	3	4.7%	4	3.5%
		100%	100%		100%	
NON-LIFERS						
MEAN:	15 YEARS		19 YEARS		17 YEARS	
MEDIAN:	10 YEARS		15 YEARS		15 YEARS	
RANGE:	5-50 YEARS		5-80 YEARS		5-80 YEARS	

Table 5e, County of Conviction of Offenders Evaluated in FY 1995, below, presents data on the County/CITY in which the evaluated offenders were convicted.

**TABLE 5e**  
**COUNTY OF CONVICTION OF OFFENDERS EVALUATED IN FY 1995**

<b>County/CITY</b>	<b>ELIGIBLE N=50</b>		<b>NON-ELIGIBLE N=63</b>		<b>EVALUATED N=113</b>	
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
<b>Anne Arundel County</b>	5	10.0%	4	6.3%	9	7.9%
<b>BALTIMORE CITY</b>	15	30.0%	15	23.8%	30	26.5%
<b>Baltimore County</b>	6	12.0%	12	19.0%	18	15.9%
<b>Carroll County</b>	1	2.0%	0	0.0%	1	0.9%
<b>Cecil County</b>	0	0.0%	1	1.6%	1	0.9%
<b>Charles County</b>	5	10.0%	0	0.0%	5	4.4%
<b>Dorchester County</b>	0	0.0%	1	1.6%	1	0.9%
<b>Frederick County</b>	1	2.0%	2	3.2%	3	2.7%
<b>Harford County</b>	0	0.0%	1	1.6%	1	0.9%
<b>Howard County</b>	0	0.0%	1	1.6%	1	0.9%
<b>Kent County</b>	1	2.0%	0	0.0%	1	0.9%
<b>Montgomery County</b>	4	8.0%	3	4.7%	7	6.2%
<b>Prince George's County</b>	9	18.0%	19	30.2%	28	24.8%
<b>Talbot County</b>	1	2.0%	1	1.6%	2	1.8%
<b>Washington County</b>	0	0.0%	1	1.6%	1	0.9%
<b>Wicomico County</b>	2	4.0%	2	3.2%	4	3.5%

- The majority of offenders evaluated (76%) were convicted in one city and two counties: 1) Baltimore City (27%); 2) Prince George's County (25%); and 3) Baltimore County (16%).
- No offenders evaluated were from Allegany, Calvert, Caroline, Garrett, Queen Anne's, St. Mary's, Somerset, or Worcester counties.

## **CHAPTER VI. CURRENT OFFENDER TREATMENT POPULATION AND DEMOGRAPHICS**

At the end of FY 1995, a total of 384 offenders were participating in Patuxent Institution's treatment programs, a 5% increase over FY 1994. This number includes 25 offenders living at the ReEntry Facility (REF) in downtown Baltimore (20 offenders on work release status and five offenders on parole to the REF) and 59 parolees in the community, one of whom is on Interstate Corrections Compact (ICC) agreement. Two community parolees died of natural causes during the past fiscal year. Two warrants, which had been outstanding for two years for breach of trust, were resolved with the recapture of both offenders. There was one escape from Patuxent Institution's main facility in Jessup. However, this offender was a Division of Correction inmate being housed temporarily and was not a participant in the Institution's treatment programs.

As of the close of FY 1995, 58 of the 384 offenders were classified as diagnostic, that is, under evaluation for acceptance into Patuxent's treatment programs. Offenders (11) under evaluation for the Patuxent Youth program represent 19% of the diagnostic offenders. Due to the low number of offenders under consideration for the Patuxent Youth program, data on these offenders have been combined with data on offenders in the EP program in the tables in this chapter.

### **6.1 Demographics.**

Demographics on the sex, race, and age of the current population under treatment are presented in Table 6a, Sex, Race, and Age Distribution of Patuxent Institution Treatment Population in FY 1995, on the following page. The following information can be gleaned from this table:

#### **SEX**

- The majority of offenders in the treatment programs are male, 89%, with female offenders comprising 11%. All of the offenders under evaluation for the Patuxent Youth program are male.

#### **RACE**

- The majority of offenders are either African-American (63%) or Caucasian (37%). Asian and Hispanic offenders each accounted for less than 1% of the FY 1995 treatment population.



**TABLE 6a**  
**SEX, RACE, AND AGE DISTRIBUTION OF PATUXENT INSTITUTION**  
**TREATMENT POPULATION IN FY 1995**

CATEGORY	OFFENDERS N=384	
	#	%
<b>SEX</b>		
Male	343	89.3%
Female	41	10.7%
<b>RACE</b>		
African-American	241	62.8%
Asian	1	0.3%
Caucasian	141	36.6%
Hispanic	1	0.3%
<b>AGE</b>		
15-19	26	6.8%
20-24	60	15.7%
25-29	50	13.0%
30-34	75	19.5%
35-39	70	18.2%
40-44	56	14.6%
45-49	30	7.8%
50-54	9	2.3%
55+	8	2.1%
<b>MEAN:</b>	33	YEARS
<b>MEDIAN:</b>	33	YEARS
<b>RANGE:</b>	15-62	YEARS

#### AGE

- Approximately 73% of the treatment population is between the ages of 18 and 39.

- The mean age is 33 years, and the range is between 15 and 62 years old.
- Less than 5% of the current EP population is over the age of 49. Middle-aged offenders represent 41% of the population. More than half (55%) of the current treatment population is between 15 and 34 years old. Over time, the average age of the treatment population is expected to continue to decrease to reflect Patuxent Institution's new mission of remediating youthful offenders, which became effective October 1, 1994.

Over the past few fiscal years, Patuxent Institution has been redirecting its energies and focusing on the remediation of youthful offenders, rather than the rehabilitation of habitual, older offenders. This changing trend is reflected in Table 6b, Admission Age of the FY 1995 Treatment Population, below.

**TABLE 6b**  
**ADMISSION AGE OF THE FY 1995 TREATMENT POPULATION**

<b>AGE</b>	<b>OFFENDERS N=384</b>	
	<b>#</b>	<b>%</b>
15-19	71	18.5%
20-24	109	28.4%
25-29	89	23.2%
30-34	59	15.4%
35-39	32	8.3%
40-44	13	3.3%
45-49	6	1.6%
50-54	5	1.3%
55+	0	0.0%
<b>MEAN:</b>	27 YEARS	
<b>MEDIAN:</b>	25 YEARS	
<b>RANGE:</b>	15-54 YEARS	

At the time of admission:

- More than 85% of the offenders were between the ages of 15 and 34.
- The average age of the Patuxent Youth population was 18, with a range between 15 and 20 years.

- No offenders were over 55 years old at the time of admittance to the EP program, and only 6% of the population were between the ages of 40 and 54 when admitted.

Table 6c, FY 1995 Treatment Population Place of Birth, below, presents the state or country in which the offender was born.

**TABLE 6c**  
**FY 1995 TREATMENT POPULATION PLACE OF BIRTH**

STATE	OFFENDERS N=384	
	#	%
Alabama	3	0.8%
California	2	0.5%
Colorado	2	0.5%
Delaware	1	0.3%
District of Columbia	71	18.4%
Florida	2	0.5%
Georgia	1	0.3%
Iowa	1	0.3%
Illinois	2	0.5%
Kansas	1	0.3%
Kentucky	1	0.3%
Maine	2	0.5%
Maryland	236	61.4%
Nebraska	1	0.3%
New Jersey	4	1.0%
New York	6	1.5%
North Carolina	9	2.3%
Ohio	3	0.8%
Pennsylvania	12	3.1%
South Carolina	3	0.8%
Tennessee	1	0.3%
Virginia	10	2.6%
West Virginia	4	1.0%

**TABLE 6c, Continued**  
**FY 1995 TREATMENT POPULATION PLACE OF BIRTH**

COUNTRY	OFFENDERS N=384	
	#	%
Canada	1	0.3%
Germany	2	0.5%
Japan	1	0.3%
Jamaica	1	0.3%
Thailand	1	0.3%
<b>TOTAL</b>	<b>384</b>	<b>100%</b>

As this table shows, more than 98% of the treatment population was born in the United States. Only six offenders, approximately 2% of the treatment population, were born in foreign countries: two from Germany, and one each from one from Canada, Jamaica, Japan, and Thailand. The majority of offenders came from: Maryland (61%), the District of Columbia (18%), and Pennsylvania (3%).

## 6.2 Offense Characteristics.

The offense characteristics of the current treatment population are presented in three areas: 1) most serious offense, 2) sentence length in years, and 3) county of conviction. Three corresponding tables, Tables 6d-6f present data on these three variables.

Table 6d, Most Serious Offense of the FY 1995 Treatment Population, on the following page, gives the number and percent of offenders under treatment in FY 1995 by type of offense. The various type of offenses are categorized into the following four broad categories used by the National Institute of Justice: 1) violent offenses, 2) property offenses, 3) drug offenses, and 4) public-order offenses.

**TABLE 6d**  
**MOST SERIOUS OFFENSE OF THE FY 1995 TREATMENT POPULATION**

TYPE OF OFFENSE	OFFENDERS N=384	
	#	%
<b>VIOLENT OFFENSES</b>	<b>339</b>	<b>88.3%</b>
Homicide	181	47.1%
Sexual Assault <sup>1</sup>	49	12.8%
Kidnapping	6	1.6%
Robbery	61	15.9%
Assault <sup>2</sup>	26	6.8%
Other Violent <sup>3</sup>	16	4.2%
<b>PROPERTY OFFENSES</b>	<b>15</b>	<b>3.9%</b>
Burglary	12	3.1%
Arson	1	0.3%
Larceny	2	0.5%
Other Property <sup>4</sup>	0	0.0%
<b>DRUG OFFENSES</b>	<b>23</b>	<b>6.0%</b>
Possession <sup>5</sup>	7	1.8%
Distribution	10	2.6%
Conspiracy	2	0.5%
Other	4	1.0%
<b>PUBLIC-ORDER OFFENSES</b>	<b>7</b>	<b>1.8%</b>
Probation Violation	2	0.5%
Other	5	1.3%

<sup>1</sup>Sexual Assault includes rape (1st and 2nd degree) and attempted rape; sexual offense (1st, 2nd, and 3rd degree); and incest and child abuse.

<sup>2</sup>Assault includes battery and assault with intent to murder, rape, or maim.

<sup>3</sup>Other Violent includes conspiracy to murder, attempted murder, and accessory to murder; malicious wounding; attempted robbery with a deadly weapon; and handgun violations/carrying a deadly weapon.

<sup>4</sup>Other Property includes uttering and arson.

<sup>5</sup>Possession includes possession with intent to distribute.

Table 6d, on the previous page, illustrates the following:

- The bulk of the treatment population (88%) is incarcerated for a violent offense, predominantly homicide (47%).
- Robbery and sexual assault offenses comprise 16% and 14% of the EP population, respectively.

Of the Patuxent Youth population under evaluation, 46% (5) committed homicide, 27% (3) assault, 18% (2) robbery, and 9% (1) sexual assault. This distribution of offenses is expected to change as Judges become more aware of the Patuxent Youth program.

In the Bureau of Justice Statistics' Drugs and Crime Facts, 1993 (pg. 19), the national percentage of offenders incarcerated for drug crimes was 21% in 1991, up from 9% in 1986. Although the percent of offenders incarcerated at Patuxent Institution for drug offenses is only 6%, treatment staff have determined that approximately 85% of the offenders have a significant history of substance abuse, including alcohol. It should be noted that offenders who were arrested for a more serious offense, such as a violent offense, who also had a drug-related offense, only would be counted under their most serious offense, and would not be reflected in the drug offense category.

Table 6e, Sentence Length in Years of the FY 1995 Treatment Population, on the following page, shows the sentence length in years of the current treatment population.

The following conclusions can be drawn from this table:

- More than half (57%) of the offenders were sentenced to 30 years or less.
- One in four offenders is serving a life sentence. However, 25% of the offenders with a life sentence had a portion of their life sentence suspended.
- Among non-lifers, sentences ranged from 5 to 100 years.

**TABLE 6e**  
**SENTENCE LENGTH IN YEARS OF THE FY 1995 TREATMENT POPULATION**

# OF YEARS	OFFENDERS N=384	
	#	%
5-10 YEARS	69	18.0%
11-15 YEARS	33	8.6%
16-20 YEARS	34	8.9%
21-25 YEARS	38	9.9%
26-30 YEARS	44	11.4%
31-35 YEARS	15	3.9%
36-40 YEARS	21	5.5%
41-45 YEARS	5	1.3%
46-50 YEARS	16	4.2%
51+ YEARS	12	3.1%
LIFE	97	25.2%
		100%
NON-LIFERS		
MEAN:	24	YEARS
MEDIAN:	25	YEARS
RANGE:	5-100	YEARS

The last table in this chapter, Table 6f, County of Conviction of the FY 1995 Treatment Population, presents data on the county in which the offender was convicted. From this table, it is shown that:

- The vast majority of offenders (nearly 31%) were convicted in Baltimore City.
- More than 67% of the incarcerated population was convicted in three areas of the State: Baltimore City (31%), Prince George's County (24%), and Baltimore County (16%).
- The number of offenders convicted in the remaining areas of the State ranged from a low of 0.3% in Garrett, Kent, St. Mary's, and Somerset counties, to a high of 6% in Montgomery County.

- No FY 1995 offenders were convicted in Calvert or Queen Anne's counties.

**TABLE 6f**  
**COUNTY OF CONVICTION OF THE FY 1995 TREATMENT POPULATION**

County/CITY	OFFENDERS N=384	
	#	%
Allegany County	5	1.3%
Anne Arundel County	18	4.7%
BALTIMORE CITY	118	30.7%
Baltimore County	61	15.9%
Calvert County	0	0.0%
Caroline County	3	0.8%
Carroll County	3	0.8%
Cecil County	3	0.8%
Charles County	14	3.6%
Dorchester County	2	0.5%
Frederick County	3	0.8%
Garrett County	1	0.3%
Harford County	7	1.8%
Howard County	9	2.3%
Kent County	1	0.3%
Montgomery County	23	6.0%
Prince George's County	92	23.9%
Queen Anne's County	0	0.0%
St. Mary's County	1	0.3%
Somerset County	1	0.3%
Talbot County	5	1.3%
Washington County	6	1.6%
Wicomico County	4	1.0%
Worcester County	4	1.0%
		100%



## **CHAPTER VII. PATUXENT INSTITUTION BOARD OF REVIEW SUMMARY**

Patuxent Institution is the only Maryland State correctional facility that has its own conditional release authority, the Board of Review. Created under Article 31B, the Board of Review: annually reviews offenders' progress in the EP and Patuxent Youth program; may grant, deny, or revoke status to offenders in these programs; may find offenders ineligible for a treatment program; and can recommend that the sentencing court release an offender from the remainder of a sentence.

The Board of Review is comprised of the following nine members:

- The Director of Patuxent Institution;
- Two Associate Directors;
- A Warden; and
- Five Members of the General Public Appointed by the Governor.

In order to address the concerns of victims, one of the five community members must be a member of a victim's rights organization.

The Board of Review's authority has changed several times since its inception in 1977. In regards to paroling offenders serving a life sentence, the Board of Review:

- Can approve parole for an offender serving a life sentence if the offender's crime was committed prior to July 1, 1982;
- Can recommend parole for an offender serving a life sentence, but must have the Governor's approval if the offender's crime was committed after July 1, 1982 and on or before March 20, 1989; and
- Can recommend parole for an offender serving a life sentence, but must have the approval of both the Governor and the Secretary of the Department of Public Safety and Correctional Services if the offender's crime was committed after March 20, 1989.

Additionally, eligible persons serving life sentence(s) for first degree murder, first degree rape, or a first degree sex offense may not be released on parole until the offender has served the same minimum time required for Division of Correction offenders: 25 years for murder with an aggravating circumstance, and 15 years for other life sentences, less diminution of confinement credits.

For offenders serving a non-life sentence, the Board of Review can approve parole if the offender's crime was committed on or before March 20, 1989; and can recommend parole but must have the approval of the Secretary of the Department of Public Safety and Correctional Services if the offender's crime was committed after March 20, 1989. In addition, Article 31B, revised and amended in March 1989, also requires the approval of a quorum (seven of the nine Board of Review members) for an offender to be granted any type of conditional release status, including day leaves, work/school release, and parole. Three members of the quorum must be from the community.

#### **7.1 Board of Review Activity Summary.**

The Board of Review generally meets two times per month to review offenders' progress in the treatment programs; however, the Board of Review also may consider requests for status, may revoke status, or may find offenders ineligible for the treatment programs. An offender can appear before the Board of Review more than one time per year, but must come before the Board of Review at least once per year. This year, due to the relative newness of the Patuxent Youth program, no Patuxent Youth appeared before the Board of Review. In FY 1995, the Board of Review reviewed 388 cases. Table 7a, Summary of Board of Review Cases in FY 1995, on the following page, shows the number of cases reviewed by hearing type.

On average, 32 cases per month were reviewed. Of the 388 cases heard, 71% were for annual reviews of the offenders' progress in the EP program: 78% for offenders housed at Patuxent Institution, 2% for work release offenders, and 20% for parolees. The remaining cases brought

before the Board of Review were comprised of status requests (13%), revocation hearings (3%), review of EP status (9%), work release hearings (1%), special requests to be seen (1%), and complete release requests (1%). The activities of those offenders granted status, such as day leaves, work release, halfway house parole, and community parole, are closely regulated by the Board of Review. In FY 1995, the Board of Review made 286 administrative decisions regarding these status offenders, decisions ranging from approval of visit requests to approval of financial purchases.

**TABLE 7a**  
**SUMMARY OF BOARD OF REVIEW CASES IN FY 1995**

<b>CASE HEARING TYPES</b>	<b>TOTAL</b>
Inhouse Annual Reviews	217
Work Release Annual Reviews	5
Parolee Annual Reviews	55
Status Requests	52
Parole Revocation Hearings	11
Work Release Hearings	3
Reviews of Eligibility Person Status	35
Special Requests To Be Seen	2
Requests For Complete Release	8
<b>TOTAL</b>	<b>388</b>

## **7.2 Grants of Status.**

As discussed in Chapter II, Section 2.7 Conditional Release Program, the Board of Review may grant the following types of conditional release status: accompanied day leaves, work/school release, parole to the ReEntry Facility, or parole to the community.

In FY 1995, the Board of Review made 41 grants of conditional release status involving 30 offenders (offenders can receive more than one type of status within the Calendar year; for

example, an offender can first receive accompanied day leaves and then, later in the year, be promoted to work release status). The number and type of status granted are presented in Table 7b, FY 1995 Grants of Status, below.

**TABLE 7b  
FY 1995 GRANTS OF STATUS**

<b>TYPE OF STATUS GRANTED</b>	<b># GRANTED STATUS</b>
<b>Accompanied Day Leaves</b>	13
<b>Work Release</b>	15
<b>Parole to ReEntry Facility</b>	6
<b>Parole to Community</b>	7
<b>TOTAL</b>	41

In FY 1995, the number of offenders paroled to the ReEntry Facility (REF) and/or the community totaled 13 offenders. One of the six offenders paroled to the REF had been promoted by the end of the fiscal year to community parole. Of the 13 offenders granted parole to the REF or to the community, six offenders are first time parolees. The other seven parolees had been granted parole status of some sort in previous years. Therefore, Tables 9c-9e in Chapter IX, Parole Outcomes, which represent the number of revocations and arrests for parolees paroled for the first time, will show six offenders paroled in FY 1995. For the first time in five years, no first time parolees have been convicted or reincarcerated for a new offense as of the close of FY 1995. Therefore, Tables 9f-9h are not included in this year's report.

All of the offenders granted status remain under the direct supervision of Patuxent Institution. Under certain circumstances, however, the Board of Review may recommend parole of a parolee to another State under an ICC transfer. An offender accepted for parole under an ICC transfer is placed under the direct supervision of an appropriate agency in another State. However, Patuxent Institution staff continue to monitor an offender's progress under an ICC transfer at least

annually. In FY 1995, there were no requests for ICC transfer. However, one offender was on ICC transfer status.

After an offender has been on community parole successfully for at least three years, the Board of Review may recommend to the sentencing court that an offender be released from the remainder of his or her sentence. In FY 1995, the Board of Review recommended six offenders to the courts for complete release. The length of time these offenders have been on community parole averages 12 years, with an average time served of approximately 16 years. The sentencing courts had not acted on any of these recommendations by the end of the fiscal year.

### **7.3 Revocations of Status.**

Offenders who participate in Patuxent Institution's conditional release program (see Chapter II, Section 2.7 Conditional Release Program), are closely monitored and supervised. Whenever an offender is believed to have violated a term or condition of his or her parole contract, a preliminary parole revocation hearing is held at the Institution before a Hearing Officer. Upon the Hearing Officer finding probable cause that the offender did violate a term or condition of the parole contract, the offender is held at the Institution pending a formal parole revocation hearing before the Board of Review.

In FY 1995, 3% of the cases brought before the Board of Review were parole revocation hearings. Parole revocation hearings are held for both major and minor violations of the parole contract. For those offenders' whose offenses were committed after March 20, 1989, revised Article 31B specifies that the first major violation of a release condition requires mandatory revocation from a status for at least six months. A second major violation automatically leads to expulsion from the treatment program. Major violations include: escape; failure to return from parole, work release, school release, or leave within one hour of the time due, unless the failure to return was due to causes beyond the control of the eligible person; commission of a new offense, other than a minor traffic violation; commission of a major violation of the Institution's disciplinary rules; violation of any rules not categorized as minor violations under the regulations of Patuxent

Institution; and use of any controlled dangerous substance the offender is not entitled to use under Maryland law.

Of the 11 parole revocation hearings held, nine hearings (82%) resulted in the revocation of status. All of the offenders revoked status were on community parole, and no offenders paroled to the REF were revoked status. In addition, two individuals whose status was revoked were found no longer eligible to participate in the EP program.

#### **7.4 Findings of Ineligibility.**

During the course of annual reviews, or as necessary (i.e., special hearings requested by the Unit Chairs before the Board of Review), the Board of Review may determine that an individual is no longer eligible to participate in the treatment program. An offender may be found no longer eligible for reasons such as breaking Institutional rules, inadequate progress in the program, or reaching maximum benefit. In FY 1995, the Board of Review found 12 offenders no longer eligible for the EP program.

Of the 12 offenders found ineligible, 67% were removed from the program because they were unresponsive to treatment and/or had numerous major or minor infractions or incidents. The BOR felt that the remaining 33% had reached maximum benefit from the program.

## CHAPTER VIII. DISCHARGES FROM PATUXENT INSTITUTION'S AUTHORITY

During the course of FY 1995, 121 offenders were completely discharged from Patuxent Institution's authority. The number of offenders discharged by discharge reason and sex are listed in Table 8a, Patuxent Institution FY 1995 Discharges, below.

**TABLE 8a**  
**PATUXENT INSTITUTION FY 1995 DISCHARGES**

DISCHARGE REASON	# FEMALE OFFENDERS	# MALE OFFENDERS	TOTAL	
			#	%
Court Release	2	0	2	1.7%
Deceased	0	1	1	0.8%
Mandatory Release/Expiration	0	2	2	1.7%
Board of Review	5	11	16	13.2%
Ineligible--Diagnostic Evaluation	2	48	50	41.3%
Voluntarily Opted Out	14	36	50	41.3%
<b>TOTAL</b>	<b>23</b>	<b>98</b>	<b>121</b>	<b>100%</b>

As the above table illustrates, the majority of the 121 offenders released from Patuxent Institution's authority in FY 1995 were either found ineligible during staff diagnostic evaluations prior to being accepted into the treatment programs (41%), or voluntarily opted out of the EP program (41%). More than 13% of the offenders discharged from Patuxent Institution's authority were found ineligible by the Board of Review for various reasons discussed in Section 7.4, Findings of Ineligibility. Parole to the REF or to the community is not considered a form of complete discharge since the parolee remains under the supervision and authority of Patuxent Institution.

## CHAPTER IX. PAROLE OUTCOMES

Parole outcome data are included on offenders paroled for the first time from FY 1990 through FY 1995. Patuxent Institution's definition of parole differs slightly from the one used by the Division of Correction (DOC) in that Patuxent Institution includes offenders paroled to the community and offenders paroled to the ReEntry Facility (REF). The distinction between community parole and REF parole is that community parolees report to a parole officer as scheduled or requested; in contrast, REF parolees are required to report to work, report back to the REF after work, and are provided a leisure/recreation time period which requires them to report back into the REF before 11:59 p.m. each evening. REF parole is a gradual release step back to the community, in between the steps of work release and community parole.

In general, three measures are used to evaluate parole outcomes: rearrests, reconvictions, and/or reincarcerations. Patuxent Institution uses all three of these outcome measures. In addition, Patuxent Institution evaluates parole revocations, that is, the number of parolees revoked by the Board of Review for violation of a technical aspect of their parole contract or for a major violation, such as a new offense. The tables in this chapter follow first time parolees of Patuxent Institution for three years, the generally accepted timeframe for recidivism follow-up studies. This timeframe also is the standard used by the National Institute of Justice. The first two tables of this chapter consider the most serious offense of the parolees and their current status as of the end of FY 1995, respectively. The remaining tables present data on revocations and rearrests for those offenders paroled from FY 1990 through FY 1995. This year, no first time parolees paroled since FY 1990 were reconvicted or reincarcerated. Therefore, Tables 9f-9h, which present data on reconvictions and reincarcerations are excluded from this year's report.



### **9.1 Offense Characteristics.**

Between FY 1990 and FY 1995, a total of 41 offenders were granted parole status to the REF or to the community. Table 9a, Most Serious Original Offense of FY 1990-FY 1995 Parolees, on the following page, presents data on the number of offenders paroled during FY 1990 through FY 1995 by offense type. All of these offenders had participated in the EP program.

Of the 41 offenders paroled, 41 % were serving a non-life sentence, and 59 % were serving a life sentence. Table 9a shows that:

- The majority (93%) of offenders paroled from Patuxent Institution since FY 1990 had committed a violent offense.
- More than 61 % of the paroled offenders had been convicted of homicide.
- No offenders convicted of drug offenses were paroled from FY 1990 to FY 1995.

**TABLE 9a**  
**MOST SERIOUS ORIGINAL OFFENSE OF**  
**FY 1990-FY1995 PAROLEES**

TYPE OF OFFENSE	PAROLEES N= 41	
	#	%
<b>VIOLENT OFFENSES</b>	<b>38</b>	<b>93%</b>
Homicide	25	61%
Sexual Assault <sup>1</sup>	6	15%
Kidnapping	1	2%
Robbery	5	13%
Assault <sup>2</sup>	1	2%
Other Violent <sup>3</sup>	0	0%
<b>PROPERTY OFFENSES</b>	<b>2</b>	<b>5%</b>
Burglary	2	5%
Larceny	0	0%
Other Property <sup>4</sup>	0	0%
<b>DRUG OFFENSES</b>	<b>0</b>	<b>0%</b>
Possession <sup>5</sup>	0	0%
Distribution	0	0%
<b>PUBLIC-ORDER OFFENSES</b>	<b>1</b>	<b>2%</b>
Probation Violation	1	2%

<sup>1</sup>Sexual Assault includes rape (1st and 2nd degree) and attempted rape; sexual offense (1st, 2nd, and 3rd degree); and incest and child abuse.

<sup>2</sup>Assault includes battery and assault with intent to murder, rape, or maim.

<sup>3</sup>Other Violent includes conspiracy to murder, attempted murder, and accessory to murder; malicious wounding; attempted robbery with a deadly weapon; and handgun violations/carrying a deadly weapon.

<sup>4</sup>Other Property includes uttering and arson.

<sup>5</sup>Possession includes possession with intent to distribute.

The current status of offenders paroled from FY 1990 through FY 1995 is presented in Table 9b, Current Status of Offenders Paroled From FY 1990-FY 1995, below.

**TABLE 9b**  
**CURRENT STATUS OF OFFENDERS PAROLED FROM**  
**FY 1990-FY 1995**

<b>STATUS</b>	<b># OF OFFENDERS</b>	<b>% OF OFFENDERS</b>
Conditional Release Status	35	85.4%
Court Released	0	0.0%
Deceased	2	4.9%
Mandatory Release/Expiration	0	0.0%
Non-Eligible Per Board of Review	2	4.9%
Returned to Patuxent	1	2.4%
Voluntarily Opted Out	1	2.4%
<b>TOTAL</b>	<b>41</b>	<b>100%</b>

This table shows that:

- Approximately 5% of the parolees are no longer under parole supervision due to court release, sentence expiration, or death.
- Nearly 10% of the offenders paroled over this time period have been found ineligible by the Board of Review, have been returned to Patuxent Institution, or have voluntarily opted out of the EP program.
- Slightly more than 85% of the offenders paroled during this time period are participating successfully in Patuxent's conditional release program.

## 9.2 Parole Revocations.

When the REF staff has reason to believe that a parolee has violated a condition(s) of his/her parole contract or has violated a State, Federal, or municipal law, the parolee is returned to

Patuxent Institution and brought before a Hearing Officer for a preliminary parole revocation hearing. In a preliminary parole revocation hearing, the Hearing Officer determines whether or not there is probable cause to keep the parolee at Patuxent Institution until a formal parole revocation hearing is held before the Board of Review. If the Hearing Officer determines that there is no probable cause to keep the parolee at Patuxent Institution, the parolee is permitted to return to the REF or the community (depending upon parole status).

If the Hearing Officer determines probable cause during the preliminary parole revocation hearing, the parolee remains at Patuxent Institution until a formal parole revocation hearing is held before the Board of Review. During a formal parole revocation hearing, the Board of Review determines whether or not the offender's parole status should be revoked. Table 9c, Year of First Revocation FY 1990-FY 1995 Parolees, on the following page, presents data on the number and percent of parolees formally revoked by the Board of Review within three years of being paroled for the first time.

For the five year time period in question, parole revocations averaged 19%. It should be noted that in FY 1991, eight of eleven offenders paroled were granted parole as a result of a court order, not through the independent action of the Board of Review. Of these eight offenders, four were simultaneously charged with violations and subsequently revoked status, thus accounting for the high average revocation rate of 45% experienced in FY 1991.

Over the five year time period, only two of the eight offenders revoked status had been charged with a violation of the law. None of the two offenders charged with a violation of the law were convicted (refer to page 52). The vast majority of revocations (75%) were for technical violations of the release contract, such as failure to report as directed, reporting late, or failure to conform to the REF rules.

As Table 9c, on the following page, illustrates, 12% of the offenders revoked parole status over the time period were revoked status within the first year of parole. The percent of offenders

revoked within two years of receiving parole status decreased significantly to 7%, and the percentage revoked within three years is currently 0%.

**TABLE 9c**  
**YEAR OF FIRST REVOCATION OF**  
**FY 1990-FY 1995 PAROLEES**

FY	# PAROLED	YEAR OF FIRST REVOCATION							
		YEAR 1		YEAR 2		YEAR 3		TOTAL	
		#	%	#	%	#	%	#	%
1990	0	0	0%	0	0%	0	0%	0	0%
1991	11	4	36%	1	9%	0	0%	5	45%
1992	11	1	9%	0	0%	0	0%	1	9%
1993	5	0	0%	1	20%	0	0%	1	20%
1994	8	1	13%	0	0%	**	**	1	13%
1995	6	0	0%	**	**	**	**	0	0%
<b>TOTAL</b>	41	5	12%	3	7%	0	0%	8	19%

\*\* Not applicable.

**NOTE:** Offenders paroled in FY 1994 may not have been on parole for an entire second year. Also, offenders paroled in FY 1995 have not been on parole for the entire first year.

### 9.3 Arrests.

The number and percent of first time parolees arrested within three years of receiving parole status are presented in Table 9d, Year of First Arrest of FY 1990-FY 1995 Parolees, on the following page. The overall arrest rate for the period in question is approximately 5%. Of the two arrests, one occurred in the first year of parole and one in the second year.

**TABLE 9d**  
**YEAR OF FIRST ARREST OF**  
**FY 1990-FY 1995 PAROLEES**

FY	# PAROLED	YEAR OF FIRST ARREST							
		YEAR 1		YEAR 2		YEAR 3		TOTAL	
		#	%	#	%	#	%	#	%
1990	0	0	0%	0	0%	0	0%	0	0%
1991	11	0	0%	0	0%	0	0%	0	0%
1992	11	1	9%	1	9%	1	9%	3	27%
1993	5	0	0%	0	0%	0	0%	0	0%
1994	8	0	0%	0	0%	**	**	0	0%
1995	6	0	0%	**	**	**	**	0	0%
<b>TOTAL</b>	41	1	2%	1	2%	1	2%	3	6%

\*\* Not applicable.

**NOTE:** Offenders paroled in FY 1994 may not have been on parole for an entire second year. Also, offenders paroled in FY 1995 have not been on parole for the entire first year.

Table 9e, Most Serious Arrest Within Three Years by Original Offense of FY 1990-FY 1995 Parolees, on the following page, cross classifies the rearrested offender's most recent arrest offense by the offender's original offense. From this table, it is seen that:

- One of the two parolees originally arrested for a violent offense (homicide) was rearrested for a violent offense, a fourth degree sex offense.
- The other parolee was rearrested for a drug offense.

As of the writing of this report, one of the arrest cases had been *stetted*, and the other case was *nolle prosequi*, in which the prosecutor voluntarily dropped the case.

**TABLE 9e**  
**MOST SERIOUS ARREST WITHIN THREE YEARS BY ORIGINAL OFFENSE**  
**OF FY 1990-FY 1995 PAROLEES**

ARREST OFFENSE	ORIGINAL OFFENSE								
	VIOLENT					Prop- erty	Drugs	Public Order	TOTAL
	Homi- cide	Sex	Kid- nap	Rob- bery	As- sault				
<b>VIOLENT</b>	1	0	0	0	0	0	0	0	1
Homicide	0	0	0	0	0	0	0	0	0
Sex	1	0	0	0	0	0	0	0	1
Kidnapping	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Assault	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0
<b>PROPERTY</b>	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0
Forgery/FP	0	0	0	0	0	0	0	0	0
<b>DRUGS</b>	1	0	0	0	0	0	0	0	1
Drugs	1	0	0	0	0	0	0	0	1
<b>PUBLIC ORDER</b>	0	0	0	0	0	0	0	0	0
Probation/PAR	0	0	0	0	0	0	0	0	0
Public Order	0	0	0	0	0	0	0	0	0
Ct. Violation	0	0	0	0	0	0	0	0	0
Domestic	0	0	0	0	0	0	0	0	0
MV/Traffic	0	0	0	0	0	0	0	0	0
<b># ARRESTED</b>	2	0	0	0	0	0	0	0	2
<b># PAROLED</b>	25	6	1	5	1	2	0	1	41
<b>%ARRESTED</b>	8%	0%	0%	0%	0%	0%	0%	0%	5%

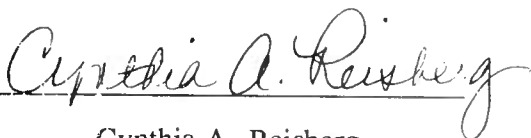
STATE OF MARYLAND

CITY OF JESSUP

I HEREBY CERTIFY THAT on the 31st day of October, in the year one thousand nine hundred and ninety-five, Joseph Henneberry, Director of Patuxent, personally appeared before me, a Notary Public of the State of Maryland, and made oath in due form of law that the matters and facts set forth in the Annual Report of Patuxent Institution for the Fiscal Year ended June 30, 1995, are true to the best of his knowledge, information, and belief.

As witness my hand and notarial seal,

NOTARY PUBLIC

  
Cynthia A. Reisberg

My commission expires: October 1, 1999.



